

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Re: Appeal to the Board of Patent Appeals and Interferences

PATENT  
APPLICATION

In re PATENT APPLICATION of

Inventor(s): FRENKEN et al.

Appln. No.: 09

Series Code ↑

626,242

Serial No. ↑

Group Art Unit: 1639

Examiner.: P. Ponnaluri

Atty. Dkt. 056159

5061-US

Filed: September 27, 2000

Title: **METHOD FOR PRODUCING ANTIBODY FRAGMENTS**

Date: April 20, 2004

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza, Lobby, Room 1B03  
Arlington, VA 22202



Sir:

1.  **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated \_\_\_\_\_ of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2.  **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3.  An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4.  Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5.  "Small entity" statement filed:  herewith.  previously.
6.  Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

**7. FEE CALCULATION**

		Large/Small Entity	Fee Code	
If box 1 above is X'd,.....	enter	\$330/165	\$330	
If box 2 above is X'd,.....	enter	\$330/165	\$0	
If box 3 above is X'd,.....	enter	\$290/145	\$0	
If box 4 above is X'd,.....	enter nothing	- 0 - (no fee)		
<b>8. Original due date: January 20, 2003</b>				
9. Petition is hereby made to extend the original due date (1 mo) to cover the date this response is filed for which the requisite fee is attached.	(2 mos) (3 mos) (4 mos)	\$110/\$55 \$420/\$210 \$950/\$475 \$1,480/\$740 (Usable only if box 2 is X'd--- 5 mos) \$2,010/\$1,005	\$950	\$950
10. Enter any previous extension fee paid <input type="checkbox"/> previously since above Original due date (item 8); March 20, 2003 <input type="checkbox"/> with concurrently filed amendment		\$950		
11. Subtract line 9 from line 8 and enter: Total Extension Fee			+\$	
12. <b>TOTAL FEE ATTACHED =</b>			<b>\$1,280</b>	

(Our Deposit Account No. 50-0310)

(Our Order No. 056159)

C#

5061-US

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

**Morgan Lewis & Bockius**

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**NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments**

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FC:1253